

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

WILLIE WEAVER,  
Plaintiff,  
v.  
HEAPS, Warden,  
Defendant.

Case No. [15-cv-04007-VC](#) (PR)

**ORDER OF DISMISSAL WITHOUT  
PREJUDICE**

On September 2, 2015, Willie Weaver, a prisoner at Corcoran State prison, filed a civil rights complaint under 42 U.S.C. § 1983 against employees of Pelican Bay State Prison, where he was previously incarcerated. On the same day, the Clerk of the Court sent Weaver a notice that he had not submitted an application to proceed *in forma pauperis* ("IFP"). See Doc. No. 2. The Clerk included a copy of the Court's current IFP application and a return envelope, and directed Weaver to either pay the filing fee or file the completed IFP application within twenty-eight days of the notice to avoid dismissal of the action. Doc. No. 2.

More than twenty-eight days have passed and Weaver has not submitted a completed IFP application or otherwise communicated with the Court.

Therefore, it is ordered that this action is DISMISSED WITHOUT PREJUDICE. The Clerk shall terminate all pending motions, and close the file.

**IT IS SO ORDERED.**

Dated: October 26, 2015



VINCE CHHABRIA  
United States District Judge

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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Plaintiff,  
v.  
HEAPS,  
Defendant.

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**CERTIFICATE OF SERVICE**


I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on October 26, 2015, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Willie Weaver ID: J-91389  
3A01-138  
Corcoran State Prison  
PO Box 8800  
Corcoran, CA 93212

Dated: October 26, 2015

Susan Y. Soong  
Clerk, United States District Court

By:   
Kristen Melen, Deputy Clerk to the  
Honorable VINCE CHHABRIA